

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

VERNON LEE COX, JR.,

Case No. 3:15-cv-098

Petitioner,

Judge Thomas M. Rose

v.

CHARLOTTE JENKINS, Warden,
Chillicothe Correctional Institution,

Respondent.

**ENTRY AND ORDER OVERRULING OBJECTIONS (DOCS. 13, 18);
ADOPTING REPORT AND RECOMMENDATIONS (DOC. 11) AND
SUPPLEMENTAL REPORT AND RECOMMENDATIONS (DOC. 15); AND
TERMINATING CASE**

This habeas corpus case is before the Court on the Objections (Docs. 13, 18) filed by Petitioner Vernon Lee Cox, Jr. (“Petitioner”) to the Report and Recommendations (“Report”) (Doc. 11) and Supplemental Report and Recommendations (“Supplemental Report”) (Doc. 15). In both the Report and Supplemental Report, Magistrate Judge Michael R. Merz recommended that the Petition for Writ of Habeas Corpus (Doc. 1) be dismissed with prejudice.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that Petitioner’s Objections (Doc. 13) to the Report (Doc. 11) and Objections (Doc. 18) to the Supplemental Report (Doc. 15) are not well taken and they are hereby **OVERRULED**. The Court **ADOPTS** the Report (Doc. 11) and Supplemental Report (Doc. 15) in their entirety and rules as follows:

- The Court **DISMISSES** the Petition for Writ of Habeas Corpus (Doc. 1) with prejudice;

- As reasonable jurists would not disagree with this conclusion, Petitioner is **DENIED** a certificate of appealability;
- The Court further **CERTIFIES** to the Sixth Circuit that any appeal would be objectively frivolous and therefore Petitioner should not be permitted to proceed *in forma pauperis*; and
- The Clerk is **ORDERED** to terminate this case on the docket of this Court.

DONE and **ORDERED** in Dayton, Ohio, this Wednesday, February 10, 2016.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE